

Opening, Call to Order, Roll Call, Approval of Agenda

The January 18, 2018 meeting of the State Board of Education/State Board for Vocational Education was called to order at 5:04 p.m. by President Dennis L. Loftus. The following members of the State Board were present: Dr. Dennis Loftus, President; G. Patrick Heffernan; Hon. Liane Sorenson; Barbara Rutt; Wali Rushdan, and Dr. Terry M. Whittaker. Secretary of Education Dr. Susan S. Bunting was present to serve as the Executive Secretary for the State Board, and the Board's Executive Director, Donna Johnson, also was present.

The Board's Agenda was posted on January 11, and motion was made by Mrs. Sorenson, and seconded by Mr. Rushdan, to approve the agenda. The motion passed unanimously by voice vote.

The minutes of the State Board's regular meeting of December 14, 2017 were approved as presented. A motion to approve the minutes was made Mrs. Rutt and seconded by Dr. Whittaker. The motion passed unanimously by voice vote.

Committee Reports from State Board Members, Update from Executive Director, Update on Literacy Campaign Efforts, Secretary Report

Dr. Loftus welcomed Mr. Wali Rushdan, the State Board's newest member, who was confirmed January 18, 2018 by the State Senate following his appointment by Governor John Carney. Dr. Loftus also attended the State of the State Address and shared the highlights of the Governor's recommendations with respect to education initiatives.

The Executive Director presented her report which included discussion of the latest publication by NASBE which focuses on Early Learning. A link to the publication as well as other articles regarding accountability plans across all 50 states according to ESSA plans and an interesting approach to chronic absenteeism. Her posted report called "News Updates and Information" is provided monthly and available online. Ms. Johnson then updated the Board on the work related to the Literacy Campaign and highlighted the upcoming meetings for the steering committee and subcommittees of the Campaign for Grade Level Reading.

Secretary Bunting provided a comprehensive report to the Board, which included details about several school visits and opportunities to engage with members of the business community and other policy leaders, meetings with school administrators, educators, and students with which she had been involved throughout the month.

Presentations, Department Regulations, Public Comment on Regulations, and Charter School Items

The Board received a presentation from the 2018 DE State Teacher of the Year, Virginia Fiorucci. Following her presentation and discussion with the Board they honored her with the SBE Award of Excellence.

The Board received a presentation on the Special Education Strategic Plan from the co-chairs of the Special Education Strategic Plan Advisory Council, Dr. Michele Marinucci and Bill Doolittle.

Department Regulations

Regulation 925: Children with Disabilities Subpart D, Evaluations, Eligibility Determination, and Individualized Education Programs for final action. A motion to approve the regulation as presented for final order was made by Mrs. Rutt and seconded by Dr. Whittaker. The motion passed by voice vote with one abstention (Mr. Rushdan)

Regulation 501: State Content Standards for final action. The amendments included the addition of statewide K-12 Financial Literacy and Computer Science standards. A motion to approve the regulation as presented for final order was made by Mr. Heffernan and seconded by Mrs. Rutt. The motion passed by voice vote with one abstention (Mr. Rushdan)

The Board thanked Mr. Michael Watson, Chief Academic Officer, for his many contributions to improving education for children in the state of Delaware. The Board recognized him for his service and awarded him the State Board's Award of Excellence.

Regulation 1008 DIAA Junior High and Middle School Interscholastic Athletics and Regulation 1009 DIAA High School Interscholastic Athletics for discussion. These regulations are out for comment during the month of January and will be back before the Board in February for final action. The DIAA Executive Director and legal counsel addressed questions from the Board members regarding the proposed changes which dealt with official's organizations and foreign exchange and international students' eligibility.

Public Comment on Regulations

The Board received public comment from two individuals commending them on the decision to approve regulation 501 and adopt statewide Computer Science standards for Delaware.

Charter School Update and Action Items

John Carwell, from the Charter School Office, presented the Department's request to place Delaware Academy of Public Safety and Security on formal review.

At the December 18, 2014 meeting of the State Board of Education, the charter for DAPSS was renewed with the following conditions:

- 1) The school shall attain a rating of "Meets Standard" on the Academic Framework for the 2014-15 school year; and
- 2) The school shall attain a rating of "Meets Standard" on the Financial Framework for the 2014-15 school year.

In SY 2014/2015 Delaware implemented a new system of accountability known as the Delaware School Success Framework (DSSF) and was permitted by the U.S. Department of Education to use this school year as the year from which to measure academic achievement and progress. Due to this waiver, DAPSS was provided an additional year to satisfy its conditions.

In SY 2015/2016, Delaware changed the academic assessment for high schools from Smarter Balanced to SAT. Due to this change in academic assessment, DAPSS was provided an additional year to satisfy its conditions.

In SY 2016/2017, DAPSS failed to meet academic standards in three of the four DSSF metrics and showed a decline in both academic achievement and academic growth.

As for financial standards, in SY 2014/2015, SY 2015/2016, and SY 2016/2017, DAPSS failed to meet financial standards.

In 2015-2016, DAPSS was approved for a modification to decrease enrollment. Despite this decrease, the school did not meet the 80% requirement for enrollment by May 1st for SY 2017-2018 enrolling only 77% of its projected population. As of September 30, 2017, DAPSS enrolled 228 of their projected 340 students or 67% of their approved enrollment. Since September 30, 2017, DAPSS's enrollment has again declined. The school currently has 217 students enrolled.

This is the third year that the school has shown a decline in enrollment going from 303 students in SY 2015/2016 to 217 students SY2017/2018. With a 2018 graduating class of 47 students, 49 choice applications, and one withdrawal at the time of this report, it is doubtful that DAPSS will meet the Financial Framework standard this school year.

After considering these potential violations of its charter, the Department as approving authority, has determined that DAPSS should be submitted to formal review to determine whether the school is violating its charter and whether there are grounds for remedial measures. The Department is seeking the assent of the Secretary and the State Board for this action.

The Secretary of Education following this outline of performance and concerns regarding the compliance with their charter stated, "Delaware Academy of Public Safety and Security appears to have failed to meet the conditions of its charter renewal and should have the opportunity for a rigorous review of the school performance. Therefore, as Secretary of Education, I assent to placing Delaware Academy of Public Safety and Security on formal review. In accordance with 14 Delaware Code Section 511(c), I seek the assent of the State Board of Education to the decision to place Delaware Academy of Public Safety and Security on formal review."

Dr. Loftus asked for a motion to assent to the formal review of the charter for Delaware Academy of Public Safety and Security. The motion was made by Mrs. Sorenson and seconded by Mr. Heffernan. After discussion of the Board which involved discussing the process that is included during formal review the motion passed unanimously by voice vote.

The charter office also provided in its monthly update, which was posted on the SBE website for information a timeline for the review of the new application received to open a new charter school in Sussex county called Sussex Montessori as well as the major modification requested for Design Lab HS. The links to all of these were provided in the agenda item online.

Professional Standards Board, General Public Comment, Appeals, Information Items, Adjournment

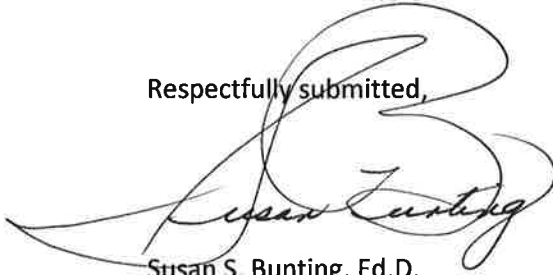
The Professional Standards Board had no items to bring before the SBE this month since their January meeting was cancelled due to snow.

The Board had no one signed up for general public comment.

The Board received an update from its Deputy Attorney General regarding two appeal requests that have been heard and are currently in the time window in which either party is able to submit responses to the hearing officer's recommendation. Both of those appeals will come before the Board for action at the February meeting.

There being no further business, a motion was made by Mr. Heffernan to adjourn the meeting. The motion was seconded by Dr. Whittaker and carried unanimously by voice vote. The meeting adjourned at 7:35 p.m.

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to read "Susan S. Bunting". The signature is written over the "Respectfully submitted," text and extends to the left.

Susan S. Bunting, Ed.D.
Executive Secretary and
Secretary of Education